

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

February 28, 2014

TO: Rosemary Booth Gallogly

DEPT: Department of Revenue

FROM: Walter Craddock, Esq. Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Wednesday, February 26, 2014. Board members: James Botvin, Acting Chair, Marc Levasser and William Jeffery. Also present, Marcy Coleman, Esq., Division of Legal Services.

Lt. David Doucet of the Rhode Island State Police has recused himself from the decision process of the dealer hearing board while on special assignment the Department of Motor Vehicles Enforcement Division until further notice.

Absent: Walter Craddock, Esq.

**MEETING OF FEBRUARY 26, 2014 AT 12:30 PM AT THE
DIVISION OF MOTOR VEHICLES –3RD. FLOOR, CONFERENCE
ROOM, 600 NEW LONDON AVENUE, CRANSTON, RI 02920**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF: December 18,
2013 BOARD HEARING.**

**The Board has reviewed and approved the minutes of December 18,
2013.**

**2. M.S.S CORPORATION d/b/a M.S.S. AUTO SALES (Henry V. Rosciti,
President/ Joseph DeAngelis, Esq.)
TRANSFER APPLICATION – CASE # KR- 130-374
FROM: 139 KING PHILIP STREET, JOHNSTON, RI 02919
TO: 123 KING PHILIIP STREET, JOHNSTON, RI 02919**

**Decision: The Board has approved this transfer application subject to
a second hand license being issued by the town of Johnston. The
transfer must be finalized within thirty days of the issuance of the
second hand license.**

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02-26-14 DEALER BOARD HEARING

**3. HAMEL TIRE CENTER, INC d/b/a HAMEL TIRE CENTER & AUTO
SALES & SERVICE (Joseph R. Hamel, President)**

FIRST APPLICATION – CASE # KR-130-361

TO DEAL IN USED MOTOR VEHICLES ONLY

AT: 1226-1238 MENDON ROAD, CUMBERLAND, RI 02864

Decision: The Board has approved this first application to sell used motor vehicles which must be finalized within 30 days. Three dealer plates have been granted.

4. TWISTED THROTTLE, LLC (Erik Stephens, Owner)

FIRST APPLICATION – KR- 130-317

**TO DEAL IN USED MOTORCYCLES AND USED MOTOR VEHICLES
ONLY**

AT: 570 NOOSENECK HILL ROAD, EXETER, RI 02822

Decision: The Board has approved the first application to sell used motorcycles only subject to a site inspection after which the application must be finalized within 30 days. The board has granted three motorcycle dealer plates.

5. DEJANA TRUCK & UTILITY EQUIPMENT COMPANY OF NEW ENGLAND

(Peter Dejana, Pres.)

CASE # - KR-140-150

REQUEST FOR ADDITIONAL MANUFACTURER PLATES

This case had been settled prior to the hearing date.

6. TWIN RIVER AUTO SALES (Karen Ciolli, Owner)

CASE # AM- 140-149

CHANGE IN OFFICERS APPLICATION – CONFORMING TO MINIMUM REQUIREMENTS

The Board has tabled this hearing to allow time to obtain additional information concerning this case.

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02-26-14 DEALER BOARD HEARING

7. KATHRYN MATSCH VS. BARRY'S AUTO GROUP (Peter Barry, Pres.)

CASE # KR-130-259

COMPLAINT / SHOW CAUSE HEARING

Decision: The Board has accepted the offer made by the dealership of \$1025.00 to be paid to the complainant to compensate for the defective transmission.

8. DEALERS' LICENSE & REGULATIONS OFFICE VS. TORO AUTO SALES & SERVICE, INC (Guido Romano, Pres.)

CASE # KR-140-016

SHOW CAUSE HEARING

The Board has tabled this case until the dealership can obtain a proper bond, until which time the dealership will turn in their license to do business, number 555 and three dealer plates, 524A-C, to RI Dealers License and Regulations Office by February 27, 2014.

9. RONALD DUTRA VS FIRST CHOICE AUTO SALES (Raul De la Cruz, Owner)

CASE # AM-130-267

COMPLAINT SHOW/CAUSE HEARING-

Decsion: The Board has determined that the dealership is in violation of RIGL§ 31-5-11 (10) and (11), for having indulged in any unconscionable practices relating to business as a motor vehicle dealer and Rhode Island Rules and Regulations VI (R)., failed to inspect vehicle prior to offering for sale and Rhode Island Rules and Regulations VII (G) (3): failed to identify a salvaged vehicle on the title. The Board has fined the dealership \$ 1000.00 and suspended their license, 495 to do business for a total of seven days based on these violations. The dealership must turn in their license,495 and plates 609 A, B and C to the RI Dealers License and Regulations Office for the duration of the suspension.

Walter Craddock, Esq. Chairman

Cc: Marcy Coleman, Esq. Department of Revenue Legal Services